

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA  
PITTSBURGH DIVISION**

Tom Wollett  
315 1st Ave.  
Carnegie, PA 15106

Plaintiff,

v.

Patenaude & Felix, P.C.  
c/o Raymond Patenande, Registered Agent  
4545 Murphy Canyon Road  
San Diego, CA 92123

Defendant.

CASE NO.:

JUDGE:

**COMPLAINT FOR DAMAGES  
UNDER THE FAIR DEBT  
COLLECTION PRACTICES ACT  
AND OTHER EQUITABLE RELIEF**

**JURY DEMAND ENDORSED HEREIN**

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**JURISDICTION AND VENUE**

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collections Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper in this district because this is the judicial district where all of the events giving rise to the cause of action took place.

**FACTS COMMON TO ALL COUNTS**

2. The Plaintiff is a person who incurred a consumer debt primarily for personal, family or household purposes.
3. Defendant is a corporation doing business primarily as a consumer debt collector.
4. Defendant is a debt collector as defined by the FDCPA, 15 U.S.C. §1692a(6).
5. The Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
6. The debt in question qualifies as a “debt” as defined by 15 U.S.C. §1692a(5).

7. Defendant is either the holder of the debt or was retained by the current holder to collect the debt.
8. All of Defendant's actions occurred within one year of the date of this Complaint.
9. On or around April 16, 2007, Legal Helpers, P.C. sent Defendant a facsimile notifying Defendant that Plaintiff had retained Legal Helpers, P.C. to file bankruptcy.
10. During several telephone communications regarding Plaintiff's debt, Plaintiff also personally provided the above notice.
11. Despite knowledge that Plaintiff had retained an attorney, Defendant contacted Plaintiff multiple times throughout the months of April 2007 and May 2007.
12. Defendant violated the FDCPA.

### **COUNT ONE**

#### **Violation of the Fair Debt Collections Practices Act**

13. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
14. The Defendant violated 15 U.S.C. §1692c in that it contacted Plaintiff notwithstanding the fact that Plaintiff told Defendant that Plaintiff was represented by an attorney.

### **COUNT TWO**

#### **Violation of the Fair Debt Collections Practices Act**

15. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
16. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect a debt.

### **JURY DEMAND**

17. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

18. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages pursuant to 15 U.S.C. §1692k and costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

By: s/ William M. Buchanan

William M. Buchanan

Bar # 202843

Attorney for Plaintiff

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